

EXHIBIT 21

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1 IN THE UNITED STATES DISTRICT COURT
2 IN AND FOR THE DISTRICT OF WYOMING

3 STEPHANIE WADSWORTH, Individually and as Parent and Legal
4 Guardian of W.W., K.W., G.W., and L.W., minor children;
and MATTHEW WADSWORTH,

5 Plaintiffs,

6 vs. No. 2:23-CV-00118-NDF

7 WALMART, INC. AND JETSON ELECTRIC BIKES, LLC,

8 Defendants.

9
10 VIDEOTAPED DEPOSITION OF CORYN KREMERS
11 TAKEN ON BEHALF OF THE PLAINTIFFS
12 ON MAY 31, 2024, BEGINNING AT 9:26 A.M.
13 IN BENTONVILLE, ARKANSAS
14 REPORTED BY KERRI PIANALTO, CCR
15 APPEARANCES:

16 By Zoom on behalf of the PLAINTIFFS

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23 On behalf of the DEFENDANTS

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Also present for Walmart: Matthew Moncur

Videographer: Payton Dawson

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1 holding this role of manager of the U.S. product safety
2 and compliance team performing some of the same duties and
3 responsibilities that you've just described?

4 A That is correct.

5 Q Okay. And when you refer to some of the testing
6 that you would either ensure was done, are you referring
7 to the UL WERCSmart, W-E-R-C-S-m-a-r-t?

8 A No, not directly.

9 Q Okay. What testing are you referring to that
10 you would ensure was done by suppliers and/or third
11 parties?

12 A Walmart requires all general merchandise product
13 that we sell to be tested prior to initial sale and then
14 annually. That testing is facilitated through, at the
15 time, one of five third-party lab organizations. We call
16 that production testing.

17 Q Six to seven years ago were the five third-party
18 lab companies the same as they are today?

19 A As we speak today, there are four organizations.

20 Q Are those -- are those four, at the very least,
21 some of the same ones that existed and were in a
22 relationship for third-party testing with Walmart back six
23 to seven years ago?

24 A Yes. They all were within the same group of
25 five.

1 confirm anything else about Jetson hoverboards?

2 MR. LAFLAMME: Object to form, just the term
3 "anything else". Go ahead and answer if you understand
4 the question.

5 A Walmart requires our third-party lab
6 organizations to review a product, for example, a
7 hoverboard, against any applicable Walmart regulatory
8 requirement. So I am not an expert in hoverboards. A lot
9 of those regulatory requirements are nuanced based
10 specifically on the product as being received by a third
11 party, but, absolutely, if there were other regulatory
12 requirements beyond Walmart's requirement of being listed
13 to the UL 2272 standard, those would be evaluated by our
14 third-party labs.

15 Q (BY MR. AYALA) Is there anybody at Walmart, any
16 associate or executive that is familiar with the
17 regulatory requirements of hoverboards?

18 A As a retailer, we are not experts in any of the
19 product that we supply. Walmart has taken a position in
20 the absence of a regulatory requirement to ensure that
21 hoverboards, all micro-mobility product, meet and are
22 listed against UL 2272. We have captured in our testing
23 requirements hundreds of other regulatory requirements
24 that may or may not be applicable to the subject
25 hoverboard. We have partnered with third-party

1 laboratories and are dependent on their expertise as well
2 as our supplier's expertise in making sure that the -- any
3 other regulatory requirement that's applicable to the
4 product is satisfied.

5 Q As it relates to UL 2272, you're relying upon
6 the third-party labs approved by Walmart to ensure that
7 all of the requirements for that certification to be -- to
8 -- have been complied with?

9 A Correct. We require the product to be listed to
10 UL 2272. Our third party lab organizations will review
11 the products supplied against all requirements within
12 2272.

13 Q But as you've described, there are times when
14 the five approved third-party lab organizations don't, in
15 fact, review the product (inaudible) by another
16 third-party lab organization, correct?

17 MR. LAFLAMME: You broke up a bit again, Rudy.
18 Could you restate that?

19 Q (BY MR. AYALA) Sure. As you described, there
20 are times when one of the five Walmart-approved lab
21 organizations doesn't, in fact, review the product, they
22 only review another third-party lab's report about either
23 an inspection or examination of that product, fair?

24 A No. And apologies for not -- not clarifying
25 previously. So, yes, a supplier or manufacturer can

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1 test labs, they're independent organizations. We don't --
2 we don't have visibility to or knowledge of who or how
3 they manage their relationships with their clients.

4 Q Is -- how is Walmart advised if any of the
5 products it lists for sale are voluntarily recalled?

6 A Voluntarily recalled through a regulatory
7 authority, I guess is my question? If a manufacturer is
8 partnering, in this instance when we talk about
9 hoverboards, with the CPSC to conduct a voluntary recall,
10 our expectation is that our supplier contacts Walmart
11 directly. Walmart also monitors all CPSC recalls and
12 safety warnings so that we -- if -- if -- in addition to
13 being notified by our supplier, we understand the impact
14 to our product catalog and are responding appropriately.

15 Q Well, do you understand the CPSC to issue
16 mandatory recalls of products or just recommend them?

17 A CPSC has authority to issue recalls in
18 conjunction with manufacturers or retailers. In absence
19 of support of a recall from any entity, they have the
20 authority to issue a unilateral warning. In the eyes of
21 Walmart, unilateral warnings are treated the same way as a
22 recall.

23 Q But in the eyes of Walmart, it understands that
24 a unilateral warning by the CPSC is not in practice the
25 same as a recall of a product, correct?

1 be done, we would have been responsive to whatever the
2 next level of guidance that they put out was. As we sit
3 here today, 2272 is the safety standard that's recognized
4 for this product.

5 Q Okay. And I understand, as you've said it a few
6 times, that Walmart doesn't have the expertise. I get
7 that. I get that. And so Walmart only relies upon the UL
8 2272 certification and it relies on everybody else,
9 including the manufacturer, the distributor of a product,
10 and the laboratories to advise Walmart whether anything
11 additional should be done prior to listing a product for
12 sale, correct?

13 A Correct. As a retailer, that's our position.
14 We are not experts in the product.

15 Q And as a retailer, Walmart has no responsibility
16 to the consumer to whom it's selling its products with
17 regards to whether additional testing requirements or
18 standards should be implemented, correct?

19 MR. LAFLAMME: Object to form.

20 A Walmart has proactively taken a stance to
21 require that the product that is being supplied to us be
22 listed against UL 2272, which is the recognized safety
23 standard. If there are additional design changes, you
24 know, whatever that looks like, testing that our
25 manufacturers feel like is appropriate, we encourage them

1 sale were not also subject to this same danger, correct?

2 MR. LAFLAMME: Object to form.

3 A To my knowledge, Jetson never informed Walmart
4 of any similarities that would cause them to want or have
5 need to remove additional product in our assortment.

6 Q (BY MR. AYALA) Yes, ma'am, I know -- I know
7 Jetson never reached out to you independently, but I'm
8 asking the other way around. Did Walmart ever reach out
9 to Jetson to inquire as to whether there was any need of
10 concern or to remove the Jetson hoverboards from the
11 shelves?

12 A Walmart was never indicated by our supplier,
13 Walmart was not impacted by the Jetson Rogue Hoverboard as
14 a retailer, and to my knowledge, we did not reach out.

15 Q Did you ever review Mr. Hussein's deposition
16 transcript?

17 A I have not.

18 Q Did you have any involvement in procuring this
19 product line or this manufacturer and developing the
20 relationship to sell Jetson hoverboards at Walmart?

21 A I personally had no involvement in the decision
22 to onboard Jetson as a supplier or what the assortment
23 looked like.

24 Q Okay. You did? Who within Walmart would've had
25 that responsibility?

1 A The decision to bring product into our
2 assortment and form relationships with specific suppliers
3 or manufacturers is a function of our merchandising team.
4 That organization is completely separate from the
5 compliance organization.

6 Q Who within the merchandising team would have had
7 that responsibility?

8 A I don't know. It would be a merchant assigned
9 to this product category.

10 Q And in your preparation of the deposition today,
11 did you review any materials relating to the purchase of
12 the Wadsworth hoverboard from Walmart, including a
13 receipt?

14 A I did review the image of the receipt for the
15 Wadsworth purchase.

16 Q Okay. So your review of the receipt for the
17 Wadsworth purchase of the Jetson hoverboard, Plasma model,
18 can you confirm that it indicates that they would have
19 purchased it from the Walmart store located in Rock
20 Springs, Wyoming?

21 A I don't recall the store. If you have the image
22 of the receipt, we could take a look at it.

23 Q Is this the receipt that you would have reviewed
24 prior to the deposition? And I can't scroll down to the
25 Jetson Plasma item number.

1 A Yes, that is the receipt that I reviewed, and
2 from the top of the receipt, it does indicate that the
3 purchase was made at Rock Springs store.

4 Q Okay. And by the way, are all Walmart
5 brick-and-mortar stores, are they all corporate owned?

6 A I don't know if I understand your question. All
7 Walmart brick-and-mortar locations are part of the
8 Walmart, Inc. entity.

9 Q Okay. They don't franchise out any
10 brick-and-mortar stores, correct?

11 A Not to my knowledge, no.

12 Q Okay. So this Walmart located at 201 Gateway
13 Boulevard in Rock Springs, Wyoming, that would've been
14 owned by Walmart, Inc., correct?

15 A Correct.

16 Q And what this receipt reflects is that on the
17 date of this purchase by the Wadsworth family, and it's
18 dated 12/12/2021, they would have purchased a Jetson
19 Plasma Hoverboard and there is a UPC code there of
20 081199103159, they would have purchased that Jetson Plasma
21 Hoverboard from -- directly from Walmart, correct?

22 A That is correct.

23 Q And Walmart would have been offering the Jetson
24 Plasma Hoverboard purchased by the Wadsworth family due to
25 the relationship that it maintained with the supplier,

1 Jetson Electric Bikes, correct?

2 A Correct.

3 Q You were not involved in procuring or securing
4 that relationship in any way, shape, or form, correct?

5 A That is correct.

6 Q To your knowledge, has Walmart ever communicated
7 to Jetson complaints about its hoverboard products?

8 MR. LAFLAMME: Object to form.

9 A Help me with what you're referring to as a
10 complaint.

11 Q (BY MR. AYALA) Sure. Has Walmart ever
12 communicated to Jetson any concerns, any issues that
13 Walmart itself had about the Jetson hoverboard products
14 offered for sale at its stores?

15 A I'm unsure if Walmart as an entity had any
16 concerns about any product that we're making available for
17 sale. What we have done as part of our compliance program
18 is if we were notified of customer issues with a product
19 that they've purchased from Walmart, we would share those
20 with the Jetson team at the same time that we're sending
21 those to the Consumer Product Safety Commission.

22 Q Yes. And that was going to be my next question,
23 but at least as it relates to Walmart's independent
24 concerns, issues, or otherwise, there would have been
25 nothing voiced to Jetson as it relates to any of the